

**COMMISSION ON TECHNOLOGY
e-COURT SUBCOMMITTEE
APPELLATE COURTS SUBTEAM
MEETING SUMMARY**

January 7, 2011
2:00 p.m. – 3:30 p.m.

State Courts Building Room 415

**SUPREME COURT MEMBERS
PRESENT**

Justice Andrew Hurwitz
Clerk Rachelle Resnick
Staff Attorney Ellen Crowley

**APPEALS DIVISION ONE
MEMBERS PRESENT**

Chief Judge Ann Timmer
Judge Larry Winthrop
Clerk Ruth Willingham
Patsy Lestikow
Jeremiah Matthews

**APPEALS DIVISION TWO MEMBERS
PRESENT**

Clerk Jeff Handler*

AOC STAFF PRESENT

Stewart Bruner, *ITD*
Karl Heckart, *ITD*
Jim Price, *ITD*

* indicates appeared via telephone

WELCOME AND MEETING PURPOSE

Justice Hurwitz asked members in the room and on the phone to identify themselves.

TURBOCOURT APPELLATE E-FILING

Karl Heckart provided numbers of filings received by TurboCourt and ACE over the past month. The AZTurboCourt patch needed to enable filing of criminal cases from the Attorney General is nearing implementation and will provide a large influx of filings. Karl recommended focusing on the criminal filings rather than reaching out to more private filers at this point. Justice Hurwitz asked that a two-phase timeline for mandating all types of appellate filings be proposed at the next meeting. He related that discussions were occurring with Community Legal Services concerning fees for e-filing. Karl mentioned that investigation of AZTurboCourt enhancements for waivers and for Spanish translation is underway. Other issues raised include law firms having older versions of Word and the time stamp on court reporter transcripts not being available in Appellamation without system changes.

After hearing the number of remaining issues and enhancement ideas the clerks have, Justice Hurwitz requested that a consolidated list with estimates of related effort be given to members to prioritize at the next meeting. He reminded members to keep in perspective that e-filing activities at the superior court level exert more influence on overall productivity and may solve some of the problems appellate courts are experiencing.

REVIEW OF PROPOSED RULE REVISIONS

In keeping with a request by a Commission on Technology member that e-Court be made aware of the details of the proposed Rule 124 changes, Stewart Bruner recapped the philosophy change and various subject areas in the revised document. Members discussed the lingering requirement for /s/ notation of signature in light of discussion held previously about logon ID and password being sufficient. Stewart requested their input on that subject and any other subjects that come to mind, either in formal comments on the rules forum website or in e-mails directed to him. To facilitate comments, he will provide members the identifier for the petition once it is posted.

Ellen Crowley reviewed proposed changes to other rules being posted on the rules forum. Members felt that signature language in Rule 11 should align with Rule 124 language and no bar number be used. Judge Timmer requested that Rule 22 and Rule 23 changes be added to Ellen's petition. The chair expressed concern with the new language about hyperlinks in all the rules, but approved the petitions being posted without change, knowing that the Rule 124 schedule for comments will enable a subsequent version of the document to be commented upon. Justice Hurwitz directed Ellen to make the comment periods for the other rules match the Rule 124 schedule.

Stewart raised an issue he had recently received about permanent records that exist in electronic format only. Members concurred with the concept of courts' holding those permanent records in electronic format until Library & Archives is able to take possession of them.

SIGNATURES ON ELECTRONIC ORDERS

Members agreed that removing any vestiges of signature from outgoing documents was a matter of business practice the clerks were free to implement, as long as their internal processes ensure that all involved in the decision approve releasing it. They affirmed that ID and password is sufficient to indicate signature on incoming documents, as discussed in the review of Rule 124 changes.

OBTAINING OTHER ELECTRONIC RECORDS

Stewart Bruner reported on discussions about obtaining electronic records from the two state agencies that file into Division One as input to the question of whether the court should mandate electronic filing from them, with sufficient lead time.

- The Industrial Commission reported that its internal files are mostly electronic (word processed) but external files are not scanned. No electronic document management or case management systems exist for their use. No funding exists for digitization efforts. They currently use a web application to upload certain internal files needed by the Maricopa County Assessor and are not averse to a similar strategy for filing into the court.
- Unemployment appeals from Dept. of Economic Security are currently being converted to an electronic process using OnBase. The administrator is excited about transferring records electronically following the completion of the pilot period for internal processing. Stewart will follow up in three months to gauge progress before involving the technology people from both sides of the transfer.

OTHER UPDATES AND ISSUES

None were made or raised.

WRAP UP

A follow-up meeting will be scheduled during the first week in February to report on opening the pipeline of appellate e-filings wider and to review the list of priorities for Appellate automation related to e-filing. Stewart mentioned that the February 11 COT meeting may become a full e-Court update and issues meeting.

Meeting adjourned at 3:10 p.m.